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14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 SAN FRANCISCO DIVISION

17 JOSEPH LANDON, individually and  
18 on behalf of all others similarly  
19 situated,

20 Plaintiffs,

21 v.

22 ERNST & YOUNG LLP, a limited  
23 liability partnership; ERNST &  
24 YOUNG U.S. LLP, a limited liability  
25 partnership; and DOES 1-100,  
26 inclusive,

27 Defendants.

Case No. CV 08-02853-WHA

[Assigned for all purposes to the  
Honorable William H. Alsup]

**NOTICE OF PENDENCY OF  
OTHER ACTION OR  
PROCEEDING**

Complaint Filed: February 21, 2008


PLEASE TAKE NOTICE, pursuant to Civil Local Rule 3-13, that the action *Landon v. Ernst & Young LLP and Ernst & Young U.S. LLP*, Case No. CV 08-02853, transferred to this Court on June 13, 2008, is related to the earlier-filed case *Ho v. Ernst & Young LLP*, Case No. CV 05-04867 that is pending in this Court. The *Landon* action involves substantially all of the same subject matter and parties as the *Ho* action which is pending in this Court.

*Ho v. Ernst & Young LLP*, Case No. CV 05-04867, was filed on September 27, 2005 in the Santa Clara County Superior Court and was removed to this Court on November 29, 2005. The *Ho* action is brought on behalf of a putative class of individuals who work or worked for Ernst & Young LLP (“Ernst & Young”) in California in the job positions of Staff 1, Senior 1, and Senior 2. Ho First Amended Complaint ¶ 9. Plaintiffs challenge defendant’s classification of these employees as exempt from California’s overtime and meal break laws. *Id.* at ¶ 11.

*Landon v. Ernst & Young LLP and Ernst & Young U.S. LLP*, Case No. CV 08-02853, was filed in Placer County Superior Court on February 21, 2008, removed to the Eastern District on April 25, 2008, and transferred to this Court on June 13, 2008. The *Landon* case has been assigned to the Honorable William H. Alsup for all purposes. The *Landon* action is brought on behalf of a putative class of unlicensed “salaried exempt employees doing accounting work” in California, also challenging Ernst & Young’s classification of such employees as exempt from California overtime and meal break laws. Landon Complaint ¶ 20. The putative class in the *Landon* action is substantially the same as the putative class in the *Ho* action.

Dated: June 20, 2008

AKIN GUMP STRAUSS HAUER &  
FELD LLP

By   
Anastasia M. Boles  
Attorneys for Defendant Ernst & Young  
LLP

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is: 2029 Century Park East, Suite 2400, Los Angeles, California 90067.

On June 20, 2008, I served the foregoing document(s) described as:

**NOTICE OF PENDENCY OF OTHER ACTION OR PROCEEDING**

on the interested party(ies) below, using the following means:

Wayne S. Kreger, Esq.	Steven Elster, Esq.
William A. Baird, Esq.	Law Offices of Steven Elster
Milstein, Adelman & Kreger, LLP	785/E2 Oak Grove Road #201
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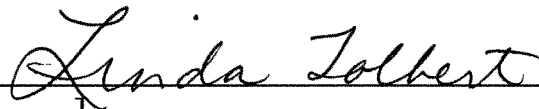
☒ BY OVERNIGHT DELIVERY I enclosed the document(s) in an envelope or package provided by an overnight delivery carrier and addressed to the respective address(es) of the party(ies) stated above. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on June 20, 2008 at Los Angeles, California.

Linda Tolbert

[Print Name of Person Executing Proof]

  
[Signature]